

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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CA 23-00801

PRESENT: WHALEN, P.J., CURRAN, BANNISTER, DELCONTE, AND HANNAH, JJ.

PAUL TUTTLE, PLAINTIFF-RESPONDENT-APPELLANT,

V

ORDER

KIP KELLER, DEFENDANT-APPELLANT-RESPONDENT,
ET AL., DEFENDANT.

SCHNITTER CICCARELLI MILLS PLLC, WILLIAMSVILLE (RYAN J. MILLS OF
COUNSEL), FOR DEFENDANT-APPELLANT-RESPONDENT.

MICHAEL STEINBERG, ROCHESTER, FOR PLAINTIFF-RESPONDENT-APPELLANT.

Appeal and cross-appeal from an order of the Supreme Court,
Monroe County (Elena F. Cariola, J.), entered April 3, 2023. The
order granted in part the motion of plaintiff for sanctions for
spoliation of evidence.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs.

Entered: July 3, 2024

Ann Dillon Flynn
Clerk of the Court